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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SIE ERVINE,

Plaintiff,

v.

DESERT VIEW REGIONAL  
MEDICAL CENTER HOLDINGS  
LLC., et al.,

Defendants.

2:10-CV-1494 JCM (GWF)

**ORDER**

The Ninth Circuit has recently issued an opinion in this matter vacating in part, reversing in part, and remanding this court's grant of summary judgment. *Ervine v. Desert View Reg'l Med. Ctr. Holdings, LLC, et al*, — F.3d —, Dkt. No. 12-15059, 2014 WL 2210845 (9th Cir. May 29, 2014).

That opinion vacated the portion of this court's order granting summary judgment as to Mr. Ervine's claims under Title III of the ADA. As instructed by the circuit court, those claims are dismissed without prejudice for lack of jurisdiction.

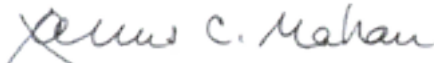
In accordance with the portions of the opinion discussing plaintiff's claims under the Rehabilitation Act, the parties are hereby ordered to file supplemental briefing which (1) identifies which allegedly discriminatory act(s) under the Rehabilitation Act fall within the statute of limitations; (2) argues the merits of those allegations; and (3) details the status of the state law claim, as no party discussed it on appeal and the Ninth Circuit returned it to this court because of that.

...

1 Plaintiff shall file an opening brief not exceeding twenty (20) pages no later than August 5,  
2 2014. Defendants shall file an answering brief not exceeding twenty (20) pages no later than August  
3 19, 2014. Plaintiff shall file a reply not exceeding ten (10) pages no later than August 29, 2014.

4 IT IS SO ORDERED.

5 DATED July 16, 2014.

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8 UNITED STATES DISTRICT JUDGE  
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